REMARKS

Favorable reconsideration of this application is respectfully requested.

Initially, applicants note an Information Disclosure Statement (IDS) was filed in the present application on August 30, 2004. Applicants have not received confirmation of consideration of that IDS. Applicants request that an initialed form PTO-1449, which accompanied that IDS, be provided to applicants acknowledging consideration of the references cited therein.

Claims 24-55 are pending in this application. Claims 1-23 are canceled by the present response without prejudice and new claims 24-55 are added by the present response. Claims 1-21 were rejected under 35 U.S.C. § 102(e) as anticipated by U.S. patent no. 6,225,012 to Nishi et al. (herein "Nishi"). Claims 1-21 were rejected under 35 U.S.C. § 102(e) as clearly anticipated by U.S. patent 6,278,957 to Yasuda et al. (herein "Yasuda"). Claims 1-21 were rejected under 35 U.S.C. § 102(b) as clearly anticipated by U.S. patent 4,711,567 to Tanimoto.

Initially, applicants note the various positions for the outstanding rejections do not appear to have addressed claims 22 and 23, which were also pending.

Addressing now each of the above-noted rejections, new claims 24-55 are believed to distinguish over the previously applied art.

New independent claim 24 is directed to a position detecting method for detecting positions of a plurality of divided areas divided by street lines on a substrate. New independent claim 24 specifically recites:

> performing image pickup of a boundary between at least one of said street lines and at least one of said divided areas on said substrate, while ***relatively moving*** said substrate and an observation field of said observation optical system in a direction perpendicular to an optical axis direction of the observation optical system; [Emphasis Added].

The other independent claims are also directed to detecting a street line, i.e., a boundary, while ***relatively moving*** a wafer and a wafer sensor system. Such features are believed to clearly distinguish over the applied art.

Addressing first the reference to Nishi, Nishi discloses in Figs. 11 and 12 that a street-line area (i.e. a street-line 70, shot areas 49A, 49B in the vicinity, and edges 70a, 70b) is detected. However, as shown in Fig. 11(b) Nishi merely discloses that the street-line area is detected in a state in which a wafer and a wafer sensor system (5A or 5B) are stationary with respect to each other. Therefore, Nishi does not disclose or suggest that a street line (that is a boundary) is detected while relatively moving a wafer and a wafer sensor system. Thus, Nishi does not meet the limitations of new claims 24-55.

Yasuda is directed to an alignment method and apparatus for a plurality of processing areas arranged on the substrate with a predetermined transfer position and a static coordinate system XY for defining a moving position of the substrate. Yasuda differs from the claims as currently written as Yasuda does not disclose or suggest that a boundary itself between a street line and a shadow area is detected, nor does Yasuda teach or suggest that the boundary is detected while relatively moving a wafer and wafer sensor system. Thus, new claims 24-25 distinguish over Yasuda.

Tanimoto discloses in Figs. 10-12 that upon an overlay exposure of a second layer, wafer marks AL, AR (Fig. 12) formed on the same street line are detected by two microscopes 51, 52, and that the wafer holder is rotated in such a manner that the detection centers of the microscope 51 and 52 are aligned with the wafer marks AL and AR, respectively.[1] However, Tanimoto neither discloses nor suggests that a boundary itself between a street line and a shadow area is detected. Further, Tanimoto neither discloses nor

[1] See also Tanimoto at col. 17, line 36 et seq.

suggests that the boundary is detected while moving a wafer and a wafer sensor system relative to each other. Thus, Tanimoto also fails to meet the limitations of new claims 24-55.

In such ways, none of the previously cited art to Nishi, Yasuda, or Tanimoto disclose or suggest that image pickup of a boundary between a street line and a divided area is performed while moving a substrate and an observation system relative to each other, as recited in new claims 24-55. Thereby, the claims as currently written are believed to distinguish over the applied art.

As no other issues are pending in this application, it is respectfully submitted that the present application is now in condition for allowance, and it is hereby respectfully requested that this case be passed to issue.

Respectfully submitted,

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